

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HABITAT FOR HORSES, a Texas non-profit : 10 Civ. 07684 (WHP)
corporation; AMERICAN SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS, a :
New York non-profit corporation; THE CLOUD
FOUNDATION, a Colorado non-profit :
corporation; TONI MOORE; and DR. DON
MOORE, :

Plaintiffs, :

v. :

KEN SALAZAR, in his official capacity as :
Secretary, U.S. Department of the Interior; :
ROBERT ABBEY, in his official capacity as :
Director, Bureau of Land Management; KENT :
WALTER, in his official capacity as Field :
Manager, Bureau of Land Management, White :
River Field Office, :

Defendants. :
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DECLARATION OF CHRISTOPHER B. ORTIZ

I, Christopher B. Ortiz, hereby declare and state as follows:

1. I am a member of the Bar of the United States District Court for the Southern District of New York and an attorney at the law firm of Kaye Scholer LLP. I represent Plaintiffs in this action. I submit this declaration in support of the attached motion by which attorneys Daniel P. Weick and Jonathan R. Horne seek to withdraw as counsel of record for Plaintiffs in this action pursuant to Local Civil Rule 1.4. I am fully familiar with the matters discussed herein.

2. Plaintiffs filed this action on October 7, 2010 challenging Defendants' attempt to eliminate the wild horse population in the North Piceance Herd Area. Currently before this Court is Defendants' motion to dismiss and motion for partial summary judgment, which has been fully briefed and will be argued on May 24, 2011.

3. Daniel P. Weick and Jonathan R. Horne, formerly attorneys at Kaye Scholer LLP, are currently listed as counsel of record in this case. Mr. Weick and Mr. Horne have resigned from Kaye Scholer LLP and will no longer be associated with the firm.

4. Accordingly, we respectfully request that the Court grant permission for Mr. Daniel P. Weick and Mr. Jonathan R. Horne to withdraw as counsel for Plaintiffs in this proceeding. Plaintiffs continue to be represented by myself and other attorneys at Kaye Scholer LLP and Schiff Hardin LLP.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 19, 2011

By:

Christopher B. Ortiz

